

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

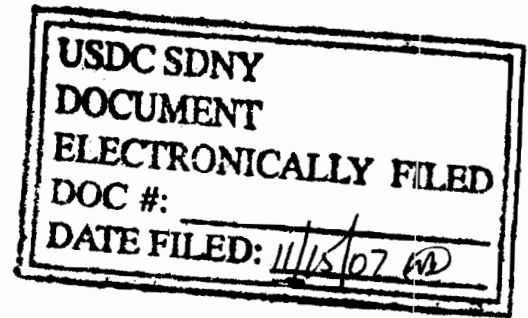
UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS ACEVEDO *et al.*,

Defendants.



07 Cr. 378 (SHS)

PLEASE TAKE NOTICE that, upon the accompanying declaration and memorandum of law, the undersigned, on behalf of Defendant Luis Acevedo ("Mr. Acevedo"), pursuant to Federal Rule of Criminal Procedure 12, will move this Court, before the Honorable Sidney H. Stein, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at 9:30 A.M. on December 6, 2007, or such other time as this Court may designate, for an Order suppressing those portions of Defendant Edy Hernandez-Uberia's May 15, 2007 post-arrest statement that purportedly inculcate Mr. Acevedo, and granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York
November 8, 2007

11/15/07
The Court does not disagree with defendant's statement of the law that the govt cannot use Hernandez's statement to inculcate Acevedo. However, the govt has agreed to propose appropriate redactions to that statement "well before trial" (ltr of 11/13/07, p. 1) if it intends to use the statement at trial. Motion disposes with leave to reargue after the redactions are proposed.
SO ORDERED
Sidney H. Stein
U.S.D.J.

Respectfully submitted,

/s/ Samuel E. Bonderoff
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